

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

1 LEVI STRAUSS AND COMPANY,

2 Plaintiff,

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4 v.

5 M/V "PHOENIX SPIRIT", etc.,
6 et al.,

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7 Defendants.

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8 MARINE EXPRESS, INC.,

9 Intervenor-Plaintiff,

10

11 v.

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12 M/V "PHOENIX SPIRIT", etc.,
13 et al.,

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14 Defendants.

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15 COLBRO SHIP MANAGEMENT COMPANY,
16 LIMITED,

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17 Intervenor-Plaintiff,

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18 v.

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19 LEVI STRAUSS AND COMPANY,

20 Intervenor-Defendant,

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22 v.

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23 WILLIAM J. COLEMAN,

24 Third-Party Defendant.

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Civil No. 96-2190 (JAF)

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U.S. DISTRICT COURT
SAN JUAN, P.R.

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Civil No. 96-2190 (JAF)

-2-

O R D E R

On November 15, 1996, Intervenor-Plaintiff Marine Express, Inc. ("Marine Express") filed a breach-of-contract action against Defendants M/V "PHOENIX SPIRIT" ("PHOENIX SPIRIT") *in rem* and Colbro Ship Management Company, Ltd. ("Colbro") *in personam*, asserting claims against the vessel and damages against Colbro. Marine Express' intervention is another episode in the mammoth Levi Strauss case, begun in this jurisdiction on October 1, 1996.

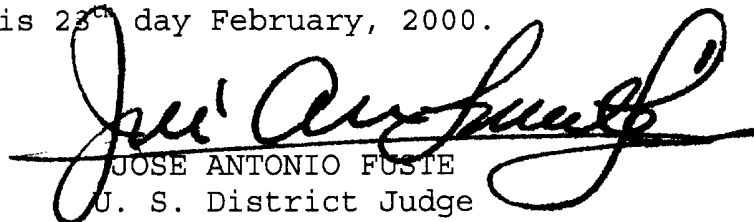
On February 10, 1998, Marine Express moved to dismiss its complaint against PHOENIX SPIRIT and its owner, Pitea Shipping Company, Ltd. ("Pitea"), pursuant to FED. R. Civ. P. 21. Alternatively, Marine Express requested leave to file an Amended Verified Complaint for Intervention against Colbro and other non-bankruptcy parties.

We, hereby, **GRANT** Intervenor-Plaintiff's motion to dismiss its complaint against PHOENIX SPIRIT and Pitea, as well as its request to file the Amended Verified Complaint against Colbro.

This Order disposes of Docket Documents Nos. 40 and 44, and partially disposes of Docket Document No. 58.

IT IS SO ORDERED.

San Juan, Puerto Rico, this 23rd day February, 2000.


JOSE ANTONIO FUSTE
U. S. District Judge

